

RESOLUTION NO. 91-67
=====

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING CALTRANS SUPPLEMENT NO. 029 AND 032 TO LOCAL AGENCY-STATE
AGREEMENT FOR RAILROAD CROSSING PROTECTION AGREEMENT -
TURNER ROAD AT MILLS AVENUE, SOUTHERN PACIFIC RAILROAD CROSSING

=====

RESOLVED, that the City Council of the City of Lodi does hereby approve Program Supplement No. 029 and 032 to the Local Agency/State Agreement No. 10-5154 with the Department of Transportation for railroad crossing protection improvements at the Turner Road/Mills Avenue intersection and the Southern Pacific Railroad tracks; and

BE IT FURTHER RESOLVED, that the Lodi City Council does hereby authorize the City Manager and City Clerk to execute the subject documents on behalf of the City of Lodi.

Dated: April 3, 1991

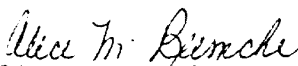
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I hereby certify that Resolution No. 91-67 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 3, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and Hinchman (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk

91-67

RES9167/TXTA.02J

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNINO
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

April 4, 1991

Mr. Jay J. Fisher, P.E.
District Local Streets
and Roads Engineer
State of California
Department of Transportation
P.O. Box 2048
Stockton, CA 95201

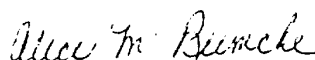
Dear Mr. Fisher:

Pursuant to your February 4, 1991 letter, enclosed please find two executed copies to Program Supplement No. 029 to Local Agency-State Agreement No. 10-5154 which was approved by the Lodi City Council at its regular meeting of April 3, 1991.

Also attached please find certified copy of the authorizing Resolution No. 91-67 entitled, "A Resolution Of the Lodi City Council Approving Caltrans Supplement No. 029 and 032 to Local Agency-State Agreement for Railroad Crossing Protection Agreement - Turner Road at Mills Avenue, Southern Pacific Railroad Crossing".

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,


Alice M. Reimche
City Clerk

AMR/jmp

Enclosures

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201



(209) 948-7953

February 4, 1991

Mr. Jack L. Ronsko
City Hall
P.O. Box 3006
Lodi, CA 95241-1910

Dear Mr. Ronsko:

Attached in duplicate is Program Supplement No. 029 to Local Agency-State Agreement No. 10-5154.

Please have the two supplements executed by the proper officials and return both supplements to this office together with the authorizing resolution.

The program supplement must contain:

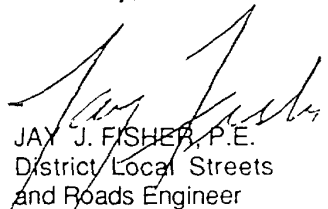
1. Date of execution.
2. Original signature of board member or other authorized official.
3. Original signature of attestor and title.

The authorizing resolution must be stamped and have an original signature by the Clerk and/or original signature by a board member.

After the agreements have been executed by the State, one original will be returned for your files.

A request for authorization to proceed has been submitted to the FHWA. You will be notified when the approval has been received.

Sincerely,


JAY J. FISHER, P.E.
District Local Streets
and Roads Engineer

Attachment

RECEIVED

FEB 7 1991



CITY OF LODI
PUBLIC WORKS DEPARTMENT

PROGRAM SUPPLEMENT NC 029
to
LOCAL AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: January 28, 1991
Location: 10-SJ -0-LOD
Project Number: RRP-Y308(002)
E.A. Number:

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 12/21/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. , approved by the Local Agency on
(See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks set forth on the following pages.

PROJECT TERMINI:

ON TURNER ROAD AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY GRADE
CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL PREEMPTION DEVICE FOR SIGNALS LENGTH: 0.0 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

[] Preliminary Engineering [] Right-of-Way [X] BY FORCE ACCOUNT
[] Construction Engineering [X] Construction

Estimated Cost	Federal Funds	Matching Funds
\$ 85,000	139 \$ 76,500	Local 8,500 OTHER 0 OTHER 0

CITY OF LODI

STATE OF CALIFORNIA
Department of Transportation

By Thomas A. Peterson
Thomas A. Peterson
City Manager

By _____
DEPUTY DISTRICT DIRECTOR OF
TRANSPORTATION, DISTRICT 10

Date April 3, 1991

Date _____

Attest Alice M. Reimche
Alice M. Reimche
Title City Clerk

Approved as to form:

Rob McNatt
Rob McNatt, City Attorney

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Shoup Date 1/28/91 \$ 76500.00

Chapter	Statutes	Item	Year	Program	Fund Source	AMOUNT
467	1990	2660-101-890	90-91	20.30.010.500	255000 892-F	76500.00

SPECIAL COVENANTS OR REMARKS

1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission.
2. All required pavement marking and advance warning signs shall conform to the requirements of MUTCD, 1988 and shall be placed in their proper location by the Local Agency at the time of completion of the Railroad's work.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Division of Local Streets and Roads.
4. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.

DEPARTMENT OF TRANSPORTATIONP.O. BOX 2048 (1976 E. CHARTER WAY)
STOCKTON, CA 95201

(209) 948-7937

March 15, 1991

Mr. Jack L. Ronsko
Director Of Public Works
City Hall
Call Box 3006
Lodi, CA 95241-1910

Dear Mr. Rosko:

Attached in duplicate is Program Supplement No. 032 to Local Agency-State Agreement No. 10-5154.

Please have the two supplements executed by the proper officials and return both supplements to this office together with the authorizing resolution.

The program supplement must contain:

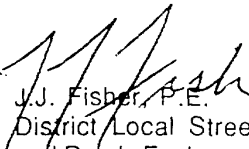
1. Date of execution.
2. Original signature of board member or other authorized official.
3. Original signature of attestor and title.

The authorizing resolution must be stamped and have an original signature by the Clerk and/or original signature by a board member.

After the agreements have been executed by the State, one original will be returned for your files.

A request for authorization to proceed has been submitted to the FHWA. You will be notified when the approval has been received.

Very truly yours,


J.J. Fisher, P.E.
District Local Streets
and Roads Engineer

Attachment

RECEIVED

MAR 15 1991

 CITY OF LODI
PUBLIC WORKS DEPARTMENT

PROGRAM SUPPLEMENT NO. 032
to
LOCAL AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO. 10-5154

Date: March 8, 1991
Location: 10-SJ -0-LOD
Project Number: RRS-Y308(003)
E.A. Number: 10-955361

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 12/21/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 3 of Article I of the aforementioned Master Agreement under authority of Resolution No. _____, approved by the Local Agency on (See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks set forth on the following pages.

PROJECT TERMINI:

ON TURNER ROAD, AT THE SOUTHERN PACIFIC TRANSPORTATION COMPANY
RAILROAD GRADE CROSSING NUMBER DE-105.0.

TYPE OF WORK: INSTALL TRAFFIC SIGNALS, REPLACE EXIST'G LENGTH: 0.1 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK

☐ Preliminary Engineering ☐ Right-of-Way ☒ BY CONTRACT W/CITY
☐ Construction Engineering ☒ Construction

Estimated Cost	Federal Funds	Matching Funds
\$ 95,200	138 \$ 85,680	\$ 9,520
	\$ 0	\$ 0

CITY OF LODI

By Thomas A. Peterson
Thomas A. Peterson
City Manager

Date April 3, 1991

Attest Alice M. Reimche
Alice M. Reimche
Title City Clerk

STATE OF CALIFORNIA
Department of Transportation

By _____
DEPUTY DISTRICT DIRECTOR OF
TRANSPORTATION, DISTRICT 10

Date _____

Approved as to form:

Bob McNatt
Bob McNatt, City Attorney

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Strauss Date 3-8-91 \$ 85680.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
467	1990	2660-101-890	90-91	20.30.010.500	C	255000 892-F	85680.00

SPECIAL COVENANTS OR REMARKS

1. The cost of maintenance of the crossing shall be as allocated by Public Utilities Commission.
2. All required pavement marking and advance warning signs shall conform to the requirements of MUTCD, 1988 and shall be placed in their proper location by the Local Agency at the time of completion of the Railroad's work.
3. The Local Agency agrees the payment of Federal funds will be limited to the amounts approved by the Federal Highway Administration in the Federal-Aid Project Agreement (PR-2)/Detail Estimate, or its modification (PR-2A) or the FNM-76, and accepts any increases in Local Agency Funds as shown on the Finance or Bid Letter or its modification as prepared by the Division of Local Streets and Roads.
4. In executing this Program Supplemental Agreement, Local Agency hereby reaffirms the "Nondiscrimination Assurances" contained in the aforementioned Master Agreement for Federal-Aid Program.
5. Whenever the local agency uses a consultant on a cost plus basis, the local agency is required to submit a post audit report covering the allowability of cost payments for each individual consultant or sub-contractor incurring over \$25,000 on the project. The audit report must state the applicable cost principles utilized by the auditor in determining allowable costs as referenced in CFR 49, part 18, Subpart C - 22, Allowable Costs.

FIRST MODIFICATION OF JOINT POWERS AGREEMENT ESTABLISHING
THE SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS

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This First Modification entered into as of the 1st day of March, 1991, by and among the incorporated cities of ESCALON, LATHROP, LODI, MANTECA, RIPON, STOCKTON and TRACY, all municipal corporations, and the COUNTY OF SAN JOAQUIN, a political subdivision of the State of California.

WITNESSETH:

WHEREAS, the cities of Escalon, Lodi, Manteca, Ripon, Stockton and Tracy and the County of San Joaquin entered into a Joint Powers Agreement on November 1, 1983, establishing the SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS; and,

WHEREAS, the City of Lathrop was incorporated effective July 1, 1989; and

WHEREAS, the City of Lathrop has been participating as a member of the SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS; and,

WHEREAS, the parties desire to formalize the City of Lathrop's membership of the SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS; and,

WHEREAS, the County of San Joaquin designated the SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS as the San Joaquin County Local Transportation Authority; and,

WHEREAS, the parties hereto wish to amend the Joint Powers Agreement to give the SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS taxing powers as the San Joaquin County Local Transportation Authority;